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FROM: Charles B. Cappellari
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TO: Examiner: Schmidt, M
Group 1635

U.S. Patent & Trademark Office

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GROUP 1600

Number of pages (including this cover page): 24

In re Patent Application of:

BECKER *et al.*

Serial No. 09/808,558

Filed: March 14, 2001

Title: MODIFIED OLIGONUCLEOTIDES
AND METHODS FOR DETERMINING)
THE PRESENCE OF A NUCLEIC)
ACID ANALYTE IN A SAMPLE)

Group Art Unit: 1635

Examiner: Schmidt, M.

Atty. Docket No. GP068-05.CN3

Confirmation No. 3920

Date: August 19, 2002

OFFICIAL

Transmitted herewith:

1. Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b) (2 pgs.);
2. Form PTO/SB/08 (1 pg. in duplicate, 2 pgs. total); and
3. Copy of 1 Cited Reference (19 pgs.).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-872-9306 on the date indicated below to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: August 19, 2002

By: 

Charles B. Cappellari, Reg. No. 40,937

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 1635
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BECKER *et al.*) Examiner: Schmidt, M.
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Serial No. 09/808,558) Atty. Docket No. GP068-05.CN3
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For: MODIFIED OLIGONUCLEOTIDES) VIA FACSIMILE
AND METHODS FOR DETERMINING)
THE PRESENCE OF A NUCLEIC)
ACID ANALYTE IN A SAMPLE)

#17 / R.T. 9/03
Suppl.
I.D.S.

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants bring to the Examiner's attention the reference listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of the reference is enclosed herewith.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits. If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified transmission date indicated below, then the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. And if such action is a final action or notice of allowance, then petition is hereby made under 37 C.F.R. § 1.97(d) for consideration of this Information Disclosure Statement. In this circumstance, the petition fee due under 37 C.F.R. § 17(p) should be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

SUPPLEMENTAL IDS

Serial No. 09/808,558
Atty. Docket No. GP068-05.CN3

Applicants respectfully request that the Examiner indicate consideration of the cited reference by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Related Applications

Applicants also wish to bring to the Examiner's attention the existence of related, co-pending application Serial No. 09/808,558, filed on March 14, 2001.

Certificate of Transmission

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-872-9306 on the date indicated below to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully Submitted,

Date: August 19, 2002

By: 

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Registration No. 40,937
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